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FILE: 0351-0001

December 5, 2008

Via Email and ECF

Hon. Morris Stern, USBJ
United States Bankruptcy Court
MLK, Jr. Federal Bldg. & Courthouse
50 Walnut Street
Newark, NJ 07102

Re: Stanziale v. Merrill Lynch Business Financial Services Inc.
Adv. Pro. No.: 08-1131 (MS)

Dear Judge Stern:

This is to confirm my advice to your secretary that a settlement has been reached between the Trustee and Merrill Lynch and other parties, fully resolving this adversary proceeding. We expect to file a motion for approval of settlement pursuant to Rule 9019 some time next week. Because the settlement affects separate litigation pending before Judge Cavanaugh, it will also be presented to him for entry of an appropriate Order terminating that case.

Respectfully submitted,

/s/James A. Scarpone

James A. Scarpone

JAS:cma

cc: Benjamin A. Stanziale, Esq. (via email)
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